

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION
AT MACON, GEORGIA



MINUTE SHEET OF COURT PROCEEDING [CONTESTED]

Date: November 15, 2017

Hearing Type: Jury Trial-Day 3

Judge: **LESLIE J. ABRAMS**

Court Reporter: Darlene Fuller

Courtroom Deputy: Felicia Rushing

Law Clerk: Kristin Royal

Case Number: 5:13-cv-306(LJA)

YKK CORPORATION, *et al.*

Counsel: Steven D Moore
David Alan Reed
Michael A Bertelson
Courtney S Dabbieri

vs.

VELCRO USA INC

Counsel: Christopher O Green
Bailey K Benedict
Frank E Scherkenbach
Sara Fish
Thad C Kodish
Jacqueline Tio
Lawrence Jarvis

DISCLAIMER: CONTENTS OF THIS MINUTE SHEET ARE FOR ADMINISTRATIVE PURPOSES ONLY AND ARE NOT MEANT AS A SUBSTITUTION FOR THE OFFICIAL COURT RECORD. ATTORNEYS SHOULD CONTACT THE COURT REPORTER AND ORDER A TRANSCRIPT IF THERE ARE ANY QUESTIONS AS TO THE CONTENTS HEREIN.

Court time for JS10/MJSTAR: 5/54

8:43 Called to order. Preliminary remarks by the Court.
Matters taken up outside presence of jury. Discussion re: Figure 17.
The Court made findings and ruled Figure 17 inadmissible.
Discussion re: Plaintiffs' Exhibit P091.
The Court advised that if Plaintiff uses Plaintiffs' Exhibit P091, Defendant will be allowed to explore issues previously excluded in motions in limine.

8:53 Recessed.

9:32 Resumed. Jury returned. Direct examination continued.

10:29 Mr. Green cross examination.

5:13-cv-306 (LJA)
YKK CORPORATION et al v. VELCRO USA INC

11/15/17
Page 2

10:35 Jury excused.
10:37 Recessed.
10:47 Resumed. Jury returned. Direct examination continued.
10:49 Mr. Moore objected. The Court overruled. Cross examination continued.
11:23 Mr. Moore objected. Sidebar. Cross examination continued.
11:35 Mr. Moore objected. The Court sustained. Cross examination continued.
11:38 Mr. Moore addressed the Court. Cross examination continued.
11:41 Mr. Moore re-direct examination.
11:45 Sidebar. Re-direct examination continued.
11:50 Mr. Green objected. Sidebar.
11:53 Jury excused. Matters taken up outside presence of jury. Discussion re: jury instructions.
12:00 Recessed.
12:49 Resumed. Matters taken up outside presence of jury. Discussion continued.
1:00 Jury returned. Jury instructions by the Court. Mr. Moore re-direct continued.
1:14 Mr. Green re-cross examination.
1:19 Jury question to witness.
1:23 Joint Exhibit J020, J041, J043, J054, J057, J063 and Plaintiffs' Exhibits P087, P095, P301 tendered.
1:24 Ms. Fish objected to Joint Exhibits J020 and J043. Joint Exhibits J041, J054, J057, J063 and Plaintiffs' Exhibits P087, P095, P301 admitted.
The Court reserved ruling on Joint Exhibits J020 and J043.
1:25 Plaintiffs rested. Witness Paul Voight called. Witness sworn. Mr. Green direct examination.
1:38 Defendants' Exhibit D285 admitted. Direct examination continued.
1:45 Defendants' Exhibit D53 admitted. Direct examination continued.
2:11 Defendants' Exhibit D81 admitted. Publishing restricted. Direct examination continued.
2:22 Plaintiffs' representative Mr. Stamps excused from courtroom.
2:23 Defendants' Exhibit D78 admitted. Direct examination continued.
2:31 Mr. Stamp returned to courtroom. Direct examination continued.
2:32 Mr. Moore objected. Sidebar.
2:35 Jury excused. Recessed.
2:52 Resumed. Jury returned.
2:55 Direct examination continued.
3:01 Mr. Moore objected. Sidebar. Direct examination continued.
3:03 Joint Exhibit J058 admitted. Direct examination continued.
3:10 Mr. Moore cross examination.
3:12 Joint Exhibit J012 admitted. Cross examination continued.
3:16 Plaintiffs' Exhibit P274 admitted. Cross examination continued.
3:22 Plaintiffs' Exhibit P081 admitted. Cross examination continued.
3:25 Sidebar.
3:31 Cross examination continued.
3:47 Plaintiffs' Exhibits P267 admitted. Cross examination continued.

5:13-cv-306 (LJA)
YKK CORPORATION et al v. VELCRO USA INC

11/15/17
Page 3

3:50 Mr. Green re-direct examination. Witness excused.
3:54 Witness Michael Cina called. Witness sworn. Mr. Green direct examination.
4:13 Defendants' Exhibit D3 tendered. Defendants' Exhibit D3 previously admitted as Joint Exhibit J066. Direct examination continued.
4:15 Defendants' Exhibit D123 admitted. Direct examination continued.
4:23 Defendants' Exhibit D5. Direct examination continued.
4:27 Jury excused. Matters taken up outside presence of jury.
Discussion re: trial logistics and procedures.
4:32 Recessed.